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Ralph E. Jocke  
Patent  
&  
Trademark Law

December 22, 2000

*#3*

Box Non-Fee  
Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Attn: Art Unit 2786  
Examiner: Unknown

Re: Serial No.: 09/428,036  
Applicants: Newton, et al.  
For: Method of Tracking and Dispensing Medical Items to Patients  
through Self Service Delivery System  
Docket: D-1124

Sir:

Please find enclosed Applicants' Information Disclosure Statement for filing in the above case. As this statement is being filed before a First Action, no fee is due.

Very truly yours,

*Ralph E. Jocke*  
Ralph E. Jocke

REJ:jrn  
Enclosure

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that this document and the documents indicated as enclosed herewith are being deposited with the U.S. Postal Service as Express Mail Post Office to addressee in an envelope addressed to Box Non-Fee, Commissioner of Patents and Trademarks, Washington, D.C. 20231, this 22<sup>nd</sup> day of December 2000.

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Amendment  
3 1/2  
PATENT

Practitioner's Docket No. D-1124

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Kevin H. Newton; R. Michael McGrady; R. Barrie Slaymaker, Jr.

For (title): METHOD OF TRACKING AND DISPENSING MEDICAL ITEMS TO PATIENTS  
THROUGH SELF SERVICE DELIVERY SYSTEM

1. Type of Application

This transmittal is for a continuation-in-part (C-I-P) application.

2. Benefit of Prior U.S. Application (35 U.S.C. 119(e), 120, or 121)

CERTIFICATION UNDER 37 C.F.R. 1.10\*

(Express Mail label number is mandatory.)

(Express Mail certification is optional.)

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service on this date 10/27/99, in an envelope as "Express Mail Post Office to Addressee," mailing Label Number EL342464776US, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Ralph E. Jocke

(type or print name of person mailing paper)

Signature of person mailing paper

**WARNING:** Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

**\*WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).  
"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

The new application being transmitted claims the benefit of prior U.S. application. Enclosed are  
ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S.  
APPLICATION CLAIMED.

**3. Papers Enclosed**

A. Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design)  
Application

157 Page(s) of Specification

8 Page(s) of Claims

57 Sheet(s) of Drawing(s)—Informal

B. Other Papers Enclosed

6 Page(s) of declaration and power of attorney

1 Page(s) of abstract

4 Page(s) of Assignment/Cover Sheet

**4. Declaration or Oath**

Enclosed

Executed by:

• inventors.

**5. Inventorship Statement**

The inventorship for all the claims in this application is <sup>not</sup> the same.  
^

**6. Language**

English

**7. Assignment**

An assignment of the invention to Diebold, Incorporated is attached. A separate FORM PTO  
1595 is also attached.

09428036-102799

8. **Fee Calculation (37 C.F.R. 1.16)**

Regular Application

CLAIMS AS FILED					
Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 CFR 1.16(a) \$760.00
Total Claims (37 CFR 1.16(c))	27	- 20 =	7 x	\$18.00	\$126.00
Independent Claims (37 CFR 1.16(b))	1	- 3 =	0 x	\$78.00	\$0.00
Multiple Dependent Claim(s), if any (37 CFR 1.16(d))			+	\$260.00	\$0.00

Filing Fee Calculation \$886.00

9. **Fee Payment Being Made at This Time**

Enclosed

Filing Fee \$886.00

Recording assignment  
(\$40; 37 C.F.R. 1.21(h))  
(See attached "COVER SHEET FOR  
ASSIGNMENT ACCOMPANYING NEW  
APPLICATION".) \$40.00

**Total Fees Enclosed** \$926.00

**10. Method of Payment of Fees**

Charge Account No. 04-1077 (Diebold, Incorporated) in the amount of \$926.00.

A duplicate of this transmittal is attached.

**11. Authorization to Charge Additional Fees**

The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 04-1077 (Diebold, Incorporated).

37 C.F.R. 1.16(a), (f) or (g) (filing fees)

37 C.F.R. 1.16(b), (c) or (d) (presentation of extra claims)

37 C.F.R. 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

37 C.F.R. 1.17(a)(1)-(5) (extension fees pursuant to § 1.136(a))

37 C.F.R. 1.17 (application processing fees)

**12. Instructions as to Overpayment**

Credit Account No. 04-1077 (Diebold, Incorporated).

**ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF  
PRIOR U.S. APPLICATION CLAIMED**

**13. Relate Back**

Amend the specification by inserting, before the first line, the following sentence:

A. 35 U.S.C. § 119(e)

"This application claims the benefit of U.S. Provisional Application No.:

**APPLICATION NO.**

60/140,894

**FILING DATE**

June 24, 1999

aa  
cont.

66428036-102799

**B. 35 U.S.C. § 120, 121 and 365(c)**

aa! This application is a continuation-in-part of copending application 09/086,857 filed on 05/29/98, which is a continuation-in-part of 08/927,593 filed 09/11/97 now patent no. 5,912,818, which is a continuation-in-part of 08/36,783 filed 12/16/94 now patent no. 5,790,409.

**14. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed**

- a. This application discloses and claims additional disclosure by amendment and a new declaration or oath is being filed. With respect to the prior application, the following additional inventor(s) have been added:

Kevin H. Newton

Reg. No. 31,029  
Tel. No.: (330) 721-0000

  
SIGNATURE OF PRACTITIONER

Ralph E. Jocke  
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